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Letter dated 19 August 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Burundi to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you the Communiqué of the Twenty-second Summit of the Great Lakes Regional Peace Initiative on Burundi, held in Dar es Salaam, Tanzania, on 18 August 2004 (see annex) and to seek the Security Council's support for the decision taken by the Summit.

Attention is drawn, in particular to the Summit's decision to declare the Palipehutu-FNL a terrorist organization, its request to the United Nations Security Council to support that decision and its recommendation that all Security Council protocols and conventions should be applied in that regard. The Government of Burundi urges the Security Council to respond positively to the Summit's request and to take effective measures to meet it.

I should like the text of this letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Léonidas **Nkingiye**
Chargé d'affaires a.i.

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Annex to the letter dated 19 August 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Burundi to the United Nations addressed to the President of the Security Council

Communiqué of the Twenty-second Summit of the Great Lakes Regional Peace Initiative on Burundi

The Twenty-second Summit of the Great Lakes Regional Peace Initiative on Burundi was held in Dar es Salaam, Tanzania, on 18 August 2004, at the invitation of the Chairperson, His Excellency Mr. Benjamin Mpaka, President of the United Republic of Tanzania and Vice-Chairperson of the Great Lakes Regional Initiative on Burundi.

It was attended by the following heads of State and representatives of Governments:

- His Excellency Mr. Thabo Mbeki, President of the Republic of South Africa;
- His Excellency Mr. Joaquin Chissano, President of the Republic of Mozambique;
- His Excellency Mr. Joseph Kabila, President of the Democratic Republic of the Congo;
- His Excellency Mr. Levy Mwanawasa, President of the Republic of Zambia;
- His Excellency Mr. Domitien Ndayizeye, President of the Republic of Burundi;
- His Excellency Professor G. Bukenya, Vice-President of the Republic of Uganda;
- His Excellency Mr. Jacob Zuma, Deputy President of South Africa and Facilitator of the Burundi peace process;
- Dr. Charles Murigande, Minister for Foreign Affairs of the Republic of Rwanda;
- Ambassador K. Sinegiorgis, representative of the Federal Democratic Republic of Ethiopia.

Also present were:

- Ambassador Mamadou Bah, Special Representative of the African Union in Burundi;
- Ambassador Carolyn McAskie, Special Representative of the Secretary-General of the United Nations.

Following a briefing by the Facilitator, Deputy President Zuma, the Summit reviewed the progress made since the previous Summit, held on 5 June 2004, and held extensive discussions on the situation in Burundi.

The Summit took the following decisions:

(a) Power-sharing

The Summit:

- Took note of the consultations on power-sharing held in Pretoria and Bujumbura between the Burundian parties, and endorsed the power-sharing agreement concluded in Pretoria on 6 August 2004, as the appropriate compromise and mechanism for ensuring ethnic balance in the spirit of the Arusha Peace and Reconciliation Agreement.
- Endorsed the acknowledgement by the signatories to the Pretoria power-sharing agreement that the provisions of the Agreement should be incorporated in the Constitution of Burundi, adopted by referendum, and in all other relevant legislation.

(b) Elections in Burundi

The Summit:

- Invited the Transitional Government of Burundi to ensure that the Independent Electoral Commission was in place by 29 August 2004. Within three weeks of the establishment of the Independent Electoral Commission, the National Assembly of Burundi should decide on a draft Constitution, failing which, the President of the Republic of Burundi should submit the draft Constitution to a referendum or to the Implementation Monitoring Committee, pursuant to protocol II, article 15, paragraph 7 of the Arusha Peace and Reconciliation Agreement.

(c) The Palipehutu-FNL and the Gatumba massacre

The Summit:

- Expressed its utmost condemnation of the repugnant terrorist attack against the United Nations refugee camp in Gatumba, Burundi, on 13 August 2004, for which the Palipehutu-FNL claimed responsibility, and which resulted in the deaths of civilians, including children.
- Expressed its condolences to the grieving families and wished the injured a speedy recovery.
- Welcomed the immediate response of the African Union and the United Nations following the massacre, and especially the decision to conduct a full-scale investigation, and requested all the parties to cooperate with the United Nations.
- Recalled its decision of 5 June 2004 urging the African Union Peace and Security Council to consider the activities of the Palipehutu-FNL in the light of the African Union Constitutive Act, the African Union Convention on the Prevention and Combating of Terrorism and other relevant African Union instruments and decisions, and to recommend appropriate political and legal action within three months.
- In the light of recent incidents and of the refusal of the Palipehutu-FNL to renounce violence and become an active participant in the peace process, the Summit resolved to declare the Palipehutu-FNL a terrorist organization. The

Summit urged the African Union and the United Nations Security Council to support that decision, and recommended that all United Nations Security Council protocols and conventions on the combating of terrorism should be applied in that regard.

- Thanked His Excellency President Benjamin Mkapa and the Government and people of the United Republic of Tanzania for hosting the Summit and for their continued support to the peace process.

Issued at Dar Es Salaam, Tanzania, on 18 August 2004